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June 19, 1997

Mr. William Caton
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

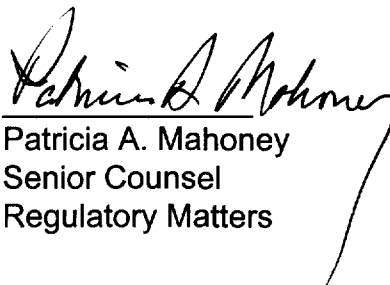
Re: ET Docket No. 95-18

Dear Mr. Caton:

Transmitted herewith, on behalf of Iridium LLC, are an original and nine copies of its "Comments on Petitions" in the above referenced proceeding.

Should any questions arise concerning this matter, please contact the undersigned.

Very truly yours,
IRIDIUM LLC


Patricia A. Mahoney
Senior Counsel
Regulatory Matters

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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554

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JUN 19 1997

Federal Communications Commission
Office of Secretary

In the Matter of:

Amendment of Section 2.106 of the
Commission's Rules to Allocate
Spectrum at 2 GHz for Use by the
Mobile-Satellite Service

ET Docket No. 95-18

Directed to: The Commission

COMMENTS ON PETITIONS

IRIDIUM LLC

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June 19, 1997

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of:

**Amendment of Section 2.106 of the
Commission's Rules to Allocate
Spectrum at 2 GHz for Use by the
Mobile-Satellite Service**

ET Docket No. 95-18

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COMMENTS ON PETITIONS

Iridium LLC ("Iridium") hereby respectfully submits these comments in response to the "Petition for Partial Reconsideration of the MSS Coalition," jointly filed by several entities that have expressed an interest in opportunities for Mobile Satellite Service ("MSS") in the frequency bands at issue in this proceeding ("Coalition Petition"), and the "Petition for Reconsideration of Southwestern Bell Wireless Inc. and Southwestern Bell Mobile System, Inc." ("SWB Petition"), filed in connection with the First Report and Order in the above-captioned proceeding.

In its Notice of Proposed Rule Making in this proceeding, Amendment of Section 2.106 of the Commission's Rules to Allocate Spectrum at 2 GHz for Use by the Mobile Satellite Service, 10 FCC Rcd 3330, 3231 (1995) ("NPRM"), the Commission stated that

it continued to believe "that a need exists for allocating a substantial amount of spectrum for MSS" and proposed an allocation of 70 MHz of spectrum to the mobile satellite service ("MSS") in the 2 GHz band to meet that need:

There is significant consumer demand for convenient mobile services such as telephone, high-rate data and fax, and video. MSS can provide such communications in remote or rural areas not covered by terrestrially based mobile services, and can provide nationwide public safety coverage....Further, we believe that use of 2 GHz frequencies can help minimize transmission costs and ensure a relatively low cost service that will be within the economic reach of a large segment of the population. Thus, the proposed allocation of 70 MHz of spectrum to MSS should give the public, especially rural Americans, **access to new and competitive services and technologies.**

Id. (emphasis added).

In addition to recognizing the need for more spectrum for MSS, the Commission also recognized that there were already potential applicants interested in providing such service.¹ Indeed, in initiating this proceeding, the Commission was responding to three petitions for rulemaking; and, in its NPRM, the Commission recognized that four interested parties (including Iridium) expressed interest in applying for MSS in the 2 GHz bands in the comments they filed during the rulemaking proceeding to prepare for the 1995 World Radiocommunications Conference ("WRC").

¹ Iridium has actively participated in this proceeding as a potential applicant to provide MSS service in the 2 GHz band.

The comments received by the Commission in response to the NPRM confirmed the Commission's initial conclusions, demonstrating a need for more spectrum for MSS and an interest by many potential applicants in providing MSS service in the 2 GHz bands. Thus, the Commission's allocation of a minimum of 70 MHz of spectrum to MSS was fully supported by the record. See In the Matter of Amendment of Section 2.106 of the Commission's Rules to Allocate Spectrum at 2 GHz for Use by the Mobile Satellite Service, FCC 97-93 (released March 14, 1997) ("First Report and Order").

1. The SWB Petition

Given the record in this proceeding, it is clear that the SWB Petition must be denied. SWB has provided no legal basis or justification for reconsideration. Moreover, contrary to the unsupported contentions of Southwestern Bell Mobile Systems, Inc. and Southwestern Bell Wireless, Inc. (jointly referred to as "SWB"), the public interest would not be served by limiting the availability of spectrum for MSS to only 40 MHz at 1990-2010 MHz and 2180-2200 MHz.

While Iridium understands SWB's interest in meeting the needs of consumers in rural areas, those needs will be met by the allocation of additional spectrum for MSS systems and services. MSS systems and services will be able to serve rural consumers who are not now receiving and may never be able to receive terrestrial service. Furthermore, allocation of additional spectrum for MSS will enhance the ability of existing and planned MSS systems and services to be competitive, affording more choices to the consumer. Accordingly, there is no justification for the Commission to reconsider its First Report and Order as requested in the SWB Petition.

As the MSS Coalition has demonstrated in its Coalition Petition, when the developments in digital technology and digital equipment are considered, it appears likely that BAS operations can be fully accommodated in the 2025-2110 MHz band. Iridium supports the MSS Coalition contentions that any other result would run contrary to the Commission's goals of promoting spectrum efficiency and encouraging the broadcast industry's rapid conversion to digital technology.

Iridium also generally shares the MSS Coalition's concerns about the magnitude of the relocation costs to be imposed upon MSS operators in the 2 GHz bands at issue in this proceeding, although Iridium recognizes that all MSS operators in these bands should share in the costs of clearing the band. In its "Comments of Iridium, Inc." in this proceeding, Iridium supported the comments of Motorola Satellite Communications, Inc. ("Motorola"), in which Motorola contended that MSS operators should pay only for their share of the costs of relocating fixed microwave and BAS users and that, to the extent that other service providers may benefit from such relocations, the other service providers should also share the costs of moving incumbent users. Iridium also supported Motorola's position that close attention must be paid to developing appropriate mechanisms for allocating these relocation costs among individual MSS providers.

Iridium's Comments also proposed that the Commission should adopt a "sunset" policy with respect to compensation for relocation of BAS operators, requiring reimbursement of relocation costs only during a transition period, after which BAS operators that remained in the bands would no longer be compensated for moving. Such a transition period limitation would provide a more equitable and efficient solution,

2. The Coalition Petition

In contrast to the SWB Petition, the Coalition Petition offers some persuasive reasons why the Commission's First Report and Order can and should be partially reconsidered in some respects, particularly in light of developments subsequent to the comment and reply comment period in this proceeding. Iridium agrees with the MSS Coalition that the Commission's decision to allocate 20 MHz of supplemental spectrum at 2110-2130 MHz to broadcasters for the Broadcast Auxiliary Service ("BAS") should be reconsidered. As the MSS Coalition points out, the Commission's decision was based on an incomplete record with respect to the existing and future spectrum needs of BAS licensees. Until the Commission receives and reviews the information sought from BAS licensees in the Further Notice of Proposed Rulemaking ("FNPRM"), the Commission does not have the information it needs to support the allocation of 20 MHz of supplemental spectrum at 2110-2130 MHz to broadcasters for BAS.

Moreover, the Commission's First Report and Order must be reconsidered in light of the Commission's subsequent actions in Advanced Television Systems and their Impact upon the Existing Broadcast Service, FCC 97-116 (released April 21, 1997) ("DTV Order"). While the Commission could not be expected to have taken cognizance of a decision that did not exist when its First Report and Order was adopted, on reconsideration of the First Report and Order the Commission should not ignore its actions in its DTV Order or the advances in digital technology and equipment that will likely reduce the amount of spectrum required by BAS operations.

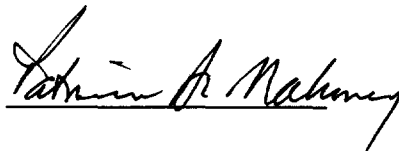
as the Commission recognized in connection with the Direct Broadcast Satellite Service. See Comments of Iridium, Inc. at 2, filed May 5, 1995, in this proceeding. Moreover, such a limitation on the compensation period would foster the Commission's goals of a rapid transition to digital technology, since the BAS operators could upgrade their equipment as they relocate.

Also, as the MSS Coalition points out, if the BAS licensees' operations can be accommodated in 85 MHz of spectrum, as a result of digital compression and modulation techniques, the magnitude of the relocation costs to be imposed on MSS operators may be reduced.

While Iridium supports the MSS Coalition on the issues discussed above, Iridium does not and cannot agree with or support the contentions and conclusions of the MSS Coalition in Section V of the Coalition Petition.

Respectfully submitted,

IRIDIUM LLC

A handwritten signature in black ink, appearing to read "Patricia A. Mahoney", is written over a horizontal line.

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June 19, 1997

CERTIFICATE OF SERVICE

I, S. Anna Sucin, do hereby certify that a copy of the foregoing **Comments On Petitions** has been sent, via first class mail, postage prepaid, (or as otherwise indicated) on this 19th day of June 1997 to the following:

- | | |
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